

1 AMENDMENT TO HOUSE BILL 1251

2 AMENDMENT NO. _____. Amend House Bill 1251, AS AMENDED,
3 by replacing everything after the enacting clause with the
4 following:

5 "Section 5. The Illinois Municipal Code is amended by
6 changing Section 11-20-8 as follows:

7 (65 ILCS 5/11-20-8) (from Ch. 24, par. 11-20-8)

8 Sec. 11-20-8. Pest extermination; liens. The corporate
9 authorities of each municipality may provide for the
10 extermination of pests rats in the municipality, and charge
11 to and collect from the owners of and persons interested in
12 private property the reasonable cost and expense of
13 preventing ingress of pests rats to their property and of
14 pest rat extermination therein, after notice to such owners
15 or persons as provided by ordinance and failures of such
16 owners or persons to comply. This cost and expense is a lien
17 upon the real estate affected, superior to all other existing
18 liens and encumbrances, except tax liens if within 60 days
19 after such cost and expense is incurred the municipality, or
20 person performing the service by authority of the
21 municipality, in his or its own name, files notice of lien in
22 the office of the recorder in the county in which the real

1 estate is located or in the office of the Registrar of Titles
2 of such county if the real estate affected is registered
3 under "An Act concerning land titles", approved May 1, 1897,
4 as amended. The notice shall consist of a sworn statement
5 setting out (1) a description of the real estate sufficient
6 for identification thereof, (2) the amount of money
7 representing the cost and expense incurred or payable for the
8 service, and (3) the date or dates when such cost and expense
9 was incurred by the municipality. However, the lien of such
10 municipality shall not be valid as to any purchaser,
11 mortgagee, judgment creditor, or other lienor whose rights in
12 and to the real estate arise subsequent to the pest rat
13 extermination and prior to the filing of the notice of such
14 lien in the office of the recorder, or in the office of the
15 Registrar of Titles, as aforesaid. Upon payment of the cost
16 and expense by the owner of or persons interested in the
17 property after notice of lien has been filed, the lien shall
18 be released by the municipality or person in whose name the
19 lien has been filed and the release may be filed of record as
20 in the case of filing notice of lien. The lien may be
21 enforced by proceedings to foreclose as in case of mortgages
22 or mechanics' liens. Actions to foreclose this lien shall be
23 commenced within one year after the date of filing notice of
24 lien.

25 "Pests", as used in this Section 11-20-8, means
26 undesirable arthropods (including certain insects, spiders,
27 mites, ticks, and related organisms), wood infesting
28 organisms, rats, mice, birds, and any other obnoxious or
29 undesirable animals.

30 (Source: P.A. 83-358.)

31 (65 ILCS 5/4-5-13 rep.)

32 Section 10. The Illinois Municipal Code is amended by
33 repealing Section 4-5-13.

1 Section 99. Effective date. This Act takes effect on
2 January 1, 2004.".